

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

RHONDA FLORA,)
Plaintiff,) Case No. 4:08CV00031
v.)
JPS ELASTOMERICS, et al.,)
Defendants.)
)
ORDER
By: Jackson L. Kiser
Senior United States District Judge

Before me is Defendant National Single-Ply, Inc.'s Motion in Opposition to Default Judgment or in the Alternative Motion to Set Aside Default/Default Judgment. For the reasons stated in the accompanying Memorandum Opinion, it is **ADJUDGED** and **ORDERED** that Defendant National Single-Ply, Inc.'s Motion to Set Aside Default/Default Judgment is hereby **GRANTED** if the following conditions are met:

- (1) Defendant National Single-Ply, Inc. shall pay \$25,000.00 to the Plaintiff within fourteen (14) days of this Order to compensate Plaintiff for the costs and attorney's fees incident to moving for default judgment and to deter other defending parties from missing applicable response deadlines;
- (2) Defendant National Single-Ply, Inc. shall waive any applicable statute of limitations defenses in this case; and
- (3) Defendant National Single-Ply, Inc. shall file an Answer within fourteen (14) days of this Order.

If Defendant National Single-Ply, Inc. fails to abide by any of these conditions contained in this Order, the Defendant's Motion to Set Aside Default/Default Judgment

will be denied in full and final judgment will be entered against Defendant National Single-Ply, Inc.

The Clerk is directed to send a copy of this Order to all counsel of record.

ENTERED this 7th day of July, 2009.

s/Jackson L.Kiser
Senior United States District Judge